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BETT, JACOB F

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 10/821,149
Filing Date: April 08, 2004
Appellant(s): DETTINGER ET AL.

Gero G. McClellan
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 19 February 2008 appealing from the Office action mailed 9 August 2007.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

2005/0171934

Yuknewicz et al.

8-2005

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-7, 12-16, and 22-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Yuknewicz et al.

As to claim 1, Yuknewicz et al. teaches a search system for gathering detailed information about objects of interest, comprising:

an interface for presenting, to a user, a results set received in response to issuing an original executable query, wherein the results set contains a field with one or more values representing objects of interest (see paragraph 0048);

a set of parameterized queries, each having one or more conditions containing at least one parameter marker for which a value may be substituted to generate an executable query (see paragraph 0049);

a set of parameterized query associations, each specifying one or more fields involved in conditions having parameter markers contained in a corresponding parameterized query in the set of parameterized queries (see paragraph 0052-0053); and

an executable component configured to identify one or more of the parameterized queries only if each field, specified as required in one or more parameterized query associations corresponding to the identified parameterized queries, are contained in the result set (see paragraphs 0056).

As to claim 2, Yuknewicz et al. teaches wherein the executable component is configured to present the user with one or more links to the identified parameterized queries from within the interface (see paragraph 0052).

As to claim 3, Yuknewicz et al. teaches wherein the executable component is configured to provide a parameterized query interface displaying at least one of the identified parameterized queries, in response to the user selecting one of the links (see paragraph 0053).

As to claim 4, Yuknewicz et al. teaches wherein the executable component is configured to substitute, for at least a first parameter marker contained in the at least one of the identified parameterized queries, at least one value contained in the results set (see paragraph 0054-0056).

As to claim 5, Yuknewicz et al. teaches wherein the parameterized query interface prompts the user to provide a value to be substituted for at least a second parameter marker contained in the at least one of the identified parameterized queries (see paragraph 0055).

As to claim 6, Yuknewicz et al. teaches wherein, in response to the user selecting one of the links, the executable component is configured to automatically generate an executable query by substituting, for at least one parameter marker contained in a parameter marker associated with the selected link, at least one value from the results set (see paragraphs 0055-0056).

As to claim 7, Yuknewicz et al. teaches a method for automatically presenting a user with parameterized queries, each having parameter markers for which parameter values may be substituted to generate executable queries, comprising:

providing an interface presenting the user with a results set comprising a plurality of fields (see paragraph 0048);

identifying one or more parameterized queries, on the basis of an association between the one or more of the plurality of fields in the results set and the identified one or more parameterized queries (see paragraphs 0049 and 0052-0053) comprises:

comparing fields in the results set to one or more fields specified as required in a set of parameterized query associations, each corresponding to a parameterized query; and identifying a parameterized query only if each field, specified as required in a parameterized query

association corresponding to the identified parameterized query, are contained in the result set (see paragraphs 0048-0049); and

providing the user access to the identified parameterized queries from the interface (see paragraphs 0052-0056).

As to claim 12, Yuknewicz et al. teaches a method for providing a user with access to parameterized queries, each having parameter markers for which parameter values may be substituted to generate executable queries, comprising:

associating one or more fields with one or more parameterized queries containing parameter markers in conditions containing the one or more fields (see paragraph 0052-0053);

analyzing a results set presented to identify parameterized queries associated with fields contained therein (see paragraph 0048);

presenting a user with a list of one or more identified parameterized queries (see paragraph 0049); and

generating an executable query by substituting, for one or more parameter markers in at least one of the identified parameterized queries, one or more values from the results set (see paragraphs 0052-0056).

As to claim 13, Yuknewicz et al. teaches further comprising prompting the user for values to be substituted for parameter markers associated with fields not contained in the result set (see paragraph 0054-0056).

As to claim 14, Yuknewicz et al. teaches wherein associating one or more fields with one or more parameterized queries containing parameter markers in conditions containing the one or more fields comprises:

specifying which fields contained in conditions having parameter markers are required to be contained in the results set before a corresponding parameterized query is presented to the user (see paragraph 0049).

As to claim 15, Yuknewicz et al. teaches wherein:

presenting a user with a list of one or more identified parameterized queries comprises presenting the user with a list of more than one parameterized query; and the method further comprises receiving a user selected one of the parameterized queries, wherein the new query is generated by substituting, for one or more parameter markers in the selected parameterized query, one or more values from the results set (see paragraphs 0055-0056).

As to claim 16, Yuknewicz et al. teaches a computer-readable storage medium containing a program for providing a user with access to parameterized queries having parameter markers for which parameter values may be substituted to generate executable queries which, when executed by a processor, performs operations comprising:

providing an interface presenting the user with a results set comprising a plurality of fields (see paragraph 0048);

identifying one or more parameterized queries, each associated with one or more of the plurality of fields in the results set (see paragraph 0049); and

providing the user access to the identified parameterized queries from the interface (see paragraphs 0052-0056); and

providing an interface allowing a user to associate parameterized queries with fields (see paragraphs 0051), wherein the interface allows the user to specify one or more fields that are required to be contained in the results set before a corresponding parameterized query is presented to the user (see paragraph 0055).

As to claim 22, Yuknewicz et al. teaches a data processing system, comprising:

a processor;

one or more computer-readable storage media containing:

(i) a plurality of parameterized queries, each including at least one condition involving at least one parameter marker for which parameter values may be substituted to generate an executable query (see paragraph 0068); and

(ii) a set of parameterized query associations, each specifying one or more fields associated with one of the parameterized queries (see paragraphs 0048 and 0073); and

an executable component which, when executed by a processor, is configured to examine a results set obtained in response to issuing a first query, examine the set of parameterized query associations to identify parameterized queries associated with fields in the results set, and provide an indication of the identified parameterized queries to a user (see paragraph 0074-0075).

As to claim 23, Yuknewicz et al. teaches wherein the executable component is further configured to generate a second query by substituting values contained in the results set for one or more parameters for one of the identified parameterized queries (see paragraphs 0052-0056).

As to claim 24, Yuknewicz et al. teaches wherein the executable component is configured to: provide a first interface to display the results set to a user; and provide one or more links from within the first interface to a second interface indicating the identified parameterized queries (see paragraphs 0048-0049).

As to claim 25, Yuknewicz et al. teaches wherein the executable component is configured to generate a second query by substituting values contained in the results set for one or more parameters for one of the identified parameterized queries selected by the user (see paragraph 0054-0056).

As to claim 26, Yuknewicz et al. teaches wherein the executable component is further configured to prompt the user for data to be substituted for one or more parameters of the selected parameterized query that is not contained in the results set (see paragraph 0054-0056).

(10) Response to Argument

1. Claims 1-7, 12-16, and 22-26 being rejected under 35 USC § 102(e) as anticipated by Yuknewicz.

Appellant appears to be arguing the rejection of all of the claims as a group including independent claims 1, 7, 12, 16, and 22. Appellant alleges that Yuknewicz fails to disclose “identify[ing] one or more of the parameterized queries only if each field, specified as required in one or more parameterized query associations corresponding to the identified parameterized queries, are contained in the result set,” the applicant's arguments have been fully considered, but are not deemed persuasive.

It is first noted that while the independent claims are similar, they are not exactly the same and the interpretation given to elements of the claims in the rejection are not necessarily the same in each of the independent claims. For this reason, the rejection will be discussed with regards to claims 7, 12, and 16 and then with regards to claims 1 and 22, however, it is noted that “the failure of appellant to separately argue claims which appellant has grouped together shall constitute a waiver of any argument that the Board must consider the patentability of any grouped claim separately.” See 37 CFR §41.37(c)(1)(vii).

With regards to claims 7, 12, and 16, the examiner cites Yuknewicz et al., paragraph 0048 as disclosing “a results set” and more particularly “analyzing a results set presented to identify parameterized queries associated with fields contained therein” as claimed in claim 12. This paragraph states “exemplary parameterized query dialog box 500 includes a select data set drop down menu 510, which enables the user to select a dataset in which the parameterized query is to be executed”. The rejection associated this selection of a dataset with the applicant’s claimed “results set”. Paragraph 0049 further states “Dialog box 500 also includes radio buttons 522 and 532, which enable the user to choose whether to define a new parameterized query or to select and existing parameterized query corresponding to selected Customers dataset 222a.”

Therefore the parameterized query list corresponds to or is associated with the selected data set (i.e., different datasets will have different parameterized queries based on their filed values).

Further in paragraph 0049 it is stated, “The queries listed in drop down menu 520 may be determined by searching a schema metadata file” that contains “associated queries and schema information”.

Therefore, at least the limitations of claim 12 and corresponding claims 7 and 16 are taught by the Yuknewicz et al. reference.

With regards to claims 1 and 22, these claims have an added limitation that sites where the result set is obtained (i.e., “a results set received in response to issuing an original executable query”), that is not found in claims 7, 12, or 16. Therefore, the result set found in claims 1 and 22 cannot be the result set selected from a drop down menu as the interpretation of claims 7, 12, and 16 allowed. However, claim 1 is a system claim made up of a plurality of components. These components are not required by the claim language to be organized in any particular order. For this reason, in the rejection of claims 1 and 22, the result set is interpreted to be the result of the “original executable query” which is a parameterized query that has been executed. Thus interface that is presented to the user is presented to the user after the parameterized query is executed. Since a parameterized query result set being returned to the user must include not only the field being searched for in a parameterized query but also the value being searched for in that field, Yuknewicz teaches identifying a parameterized query only if each field, specified as required in the parameterized query associations corresponding to the identified parameterized query is contained in the result set. The claim language only requires one parameterized query to be identified, that is “one or more” can be “one”. This query is the one that is selected by the

user to be executed, and as stated above once this query is executed the field specified in the parameterized query will be contained in the result set. The executable component configured to identify this query would be in program that displays the interface to the user so that the user can select the query based on the selected data set.

In the advisory action, the examiner attempted to point this fact out by giving an example from the Yuknewicz et al. reference.

When someone searches using a parameterized Zip Code query of Yuknewicz, the results of the query must contain the Zip Code that the user specified in the query. For instance, if a user wants to search all records containing the Zip Code 00001; the user selects from the drop down list "Fill by Zip Code" the user then puts in "0001" in the Zip Code query, which specifies as requires a Zip Code field and that it contains 00001. Therefore, all results will have a Zip Code field, and the field will contain the value 00001.

See the advisory action mailed 18 October 2007.

Therefore, Yuknewicz et al. also anticipates the limitations of claims 1 and 22 as described.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

/Jacob F. Betit/

Art Unit: 2169

Jacob F. Bétit
Examiner, Art Unit 2164

Conferees:

/Charles Rones/

Supervisory Patent Examiner, Art Unit 2164

/Eddie Lee/

Supervisory Patent Examiner, TC 2100

On 29 April 2008, an appeal conference was held, and it was agreed to proceed to the Board of Patent Appeals and Interferences.